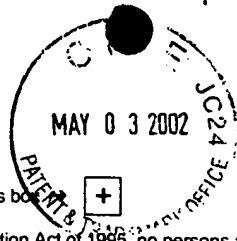


3739

COPY OF PAPER
ORIGINALLY FILED

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box ☐

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/079,605	
	Filing Date	February 21, 2002	
	First Named Inventor	Thomas KEAST	
	Group Art Unit	3739	
	Examiner Name	To Be Assigned	
Total Number Of Pages In This Submission	10	Attorney Docket No.	435712003521

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Form PTO-1449 - 6 pages
<input checked="" type="checkbox"/> Information Disclosure Statement - 3 pages	<input type="checkbox"/> Request for Refund	2. Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RECEIVED

MAY 08 2002

TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018
Signature	
Date	April 23, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 23, 2002.

Carolyn McKubre

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

COPY OF PAPERS
ORIGINALLY FILED

PATENT
Docket No. 435712003521

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on April 23, 2002

Carolyn McKubre
Carolyn McKubre

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Thomas KEAST et al.

Serial No.: 10/079,605

Filing Date: February 21, 2002

For: DEVICES FOR APPLYING ENERGY
TO TISSUE

Examiner: To Be Assigned

Group Art Unit: 3739

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

RECEIVED

MAY 08 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER R3700

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in Information Disclosure Statements directed to the related application Serial Number 09/633,651, filed August 7, 2000, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

Applicants bring to the attention of the Examiner the following co-pending applications:

1. Application No. 09/633,651, by J. D. Cooper et al., filed August 7, 2000
2. Application No. 09/908,008, by M. D. Laufer et al., filed July 18, 2001
3. Application No. 09/908,087, by J. D. Cooper et al. filed July 18, 2001
4. Application No. 09/908,177, by J. D. Cooper et al., filed July 18, 2001
5. Application No. 09/946,706, by T. Keast et al. filed September 4, 2001
6. Application No. 09/947,126, by D. Tanaka et al., filed September 4, 2001
7. Application No. 09/947,144, by J. D. Cooper et al. filed September 4, 2001
8. Application No. 10/080,344, by E. Roschak et al. filed February 21, 2002

A copy of the co-pending application corresponding to item no. 1, above, has been submitted in an Information Disclosure Statement for related co-pending application Serial Number 09/947,144 and accordingly, a copy of the patent application corresponding to item no. 1 is not submitted herewith. The co-pending applications corresponding to item nos. 2-4, above, are continuation applications of Serial Number 09/633,651 and thus copies of them are not included in this Information Disclosure Statement. Additionally, the co-pending applications corresponding to item nos. 5-8, above, were previously submitted in Information Disclosure Statements for the related application Serial Number 09/633,651, filed August 7, 2000, and accordingly copies are not included herewith.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.

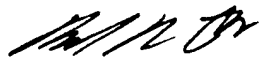
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **435712003521**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 23, 2002

Respectfully submitted,

By: 
Richard R. Batt
Registration No. 43,485

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5616
Facsimile: (650) 494-0792